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Attorney Docket No. MONT-028/01US

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Duane L. JOHNSON, et al.

Confirmation No.: 8933

Serial No.: 10/575,528

Filed: April 10, 2006

For: PRODUCTION OF GLUTEN-FREE FOOD PRODUCTS USING TIMOTHY GRASS

U.S. Patent and Trademark Office  
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**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**

In response to the Notification of Missing Requirements under 35 USC 371 mailed February 5, 2007, enclosed are:

- ☒ Copy of the Notification of Missing Requirements of Application
- ☒ Executed Declaration (6 pgs.)

and the payment of the following fee(s):

- ☒ Please charge \$65.00 to Deposit Account No. 50-1283 for the total fee (small entity).

☒ The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-1283. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.


04/04/2007 MKAYPAGH 00000060 501283 10575528

01 FC:2617 Dated: 65.00 DA 4-2-07

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Respectfully submitted,  
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By:

  
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306509-2174  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

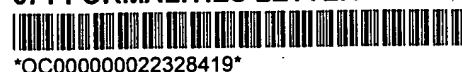
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U.S. APPLICATION NUMBER NO. 10/575,528	FIRST NAMED APPLICANT Duane L. Johnson	ATTY. DOCKET NO. MONT-028/01US
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INTERNATIONAL APPLICATION NO. PCT/US04/33410	
I.A. FILING DATE 10/12/2004	PRIORITY DATE 10/10/2003

CONFIRMATION NO. 8933  
 371 FORMALITIES LETTER



\*OC000000022328419\*

Date Mailed: 02/05/2007

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 04/10/2006
- Copy of the International Search Report filed on 04/10/2006
- Preliminary Amendments filed on 04/10/2006
- U.S. Basic National Fees filed on 04/10/2006
- Priority Documents filed on 04/10/2006
- Specification filed on 04/10/2006
- Claims filed on 04/10/2006
- Abstracts filed on 04/10/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

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DUE: Missing Parts 4.5.07

EOL: 9.5.07

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- \$65 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

KAREN R MCLEAN

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**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/575,528	PCT/US04/33410	MONT-028/01US